

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re:)	Chapter 11
)	
CIRCUIT CITY STORES, INC., et al.,)	Case No: 08-35653-KRH
)	(Jointly Administered)
)	
Debtors.)	

**ORDER GRANTING LEAVE TO
FILE INTERLOCUTORY APPEAL**

Upon (a) the Motion of the landlords listed on Exhibit A attached hereto (the “Landlords”) for leave to file an interlocutory appeal from this Court’s order docketed January 26, 2009 styled “Findings of Fact and Conclusions of Law From Hearing Held December 22, 2008 on Motion to Compel Payment of Postpetition Rent” (the “Motion”), (b) the Notice of Appeal filed substantially contemporaneously therewith, (c) the consent of the Debtor to the Motion, evidenced by the endorsement of counsel to the Debtor at the foot of this order, and (d) the Certification to Court of Appeals By All Parties, which certification was filed in the office of the clerk of this Court on February 23, 2009, and for good cause shown, it is hereby

ORDERED that the Motion is granted, and the Landlords are hereby given leave to appeal as requested in the Motion, the Court noting and acceding to the Certification to Court of Appeals on Official Form 24 filed jointly by the Landlords and Debtor Circuit City Stores, Inc., they being

Augustus C. Epps, Jr., VSB No. 13254
Michael D. Mueller, VSB No. 38216
Jennifer M. McLemore, VSB No. 47164
Noelle M. James, VSB No. 76001
Christian & Barton, L.L.P.
909 East Main Street, Suite 1200
Richmond, Virginia 23219-3095
Telephone: 804-697-4104
Facsimile: 804-697-6104

Counsel to the Landlords listed
on Exhibit A

all the parties to the Notice of Appeal and the Motion.

Entered on docket: 2/26/09

ENTER: Feb 26 2009 /

/s/ Kevin Huennekens

United States Bankruptcy Judge

We ask for this:

/s/ Augustus C. Epps, Jr.

Augustus C. Epps, Jr., VSB No. 13254
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Counsel to the Landlords listed
on Exhibit A

/s/ Douglas M. Foley by Augustus C. Epps, Jr. w/permission

Dion W. Hayes, VSB No. 34304
Douglas M. Foley, VSB No. 34364
McGuireWoods LLP
One James Center
901 East Cary Street
Richmond, Virginia 23219
Telephone: 804-775-1000

Counsel to the Debtors

C E R T I F I C A T E

I hereby certify that the foregoing order has been endorsed on behalf of all necessary parties.

/s/ Augustus C. Epps, Jr. _____
Augustus C. Epps, Jr.

SERVICE LIST

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Ian S. Fredericks, Esquire
Skadden, Arps, Slate, Meacher & Flom, LLP
One Rodney Square
P. O. Box 636
Wilmington, Delaware 19899-0636

EXHIBIT A

	Landlord
1.	Brighton Commercial LLC
2.	Carousel Center Company, L.P.
3.	Cedar Development Ltd.
4.	Drexel Delaware Limited Partnership
5.	Fingerlakes Crossing, LLC
6.	Generation One and Two, LP
7.	GRI-EQY (Sparkleberry Square) LLC
8.	Hamilton Crossing I, LLC
9.	Inland American Retail Management LLC
10.	Inland Commercial Property Management, Inc.
11.	Inland Continental Property Management Corp.
12.	Inland Pacific Property Services LLC
13.	Inland Southwest Management LLC
14.	Inland US Management LLC
15.	Kimco Realty Corporation
16.	La Habra Imperial, LLC
17.	Madison Waldorf LLC
18.	Myrtle Beach Farms Co., Inc.
19.	N.P. Huntsville Limited Liability Company
20.	Rancon Realty Fund IV
21.	RREEF Management Company
22.	Sangertown Square, LLC
23.	Starpoint Property Management, LLC
24.	The Macerich Company
25.	The Portland Investment Company of America
26.	The Prudential Insurance Company of America
27.	UnCommon, Ltd.

CERTIFICATE OF NOTICE

District/off: 0422-7
Case: 08-35653

User: jafarbayj
Form ID: pdforder

Page 1 of 1
Total Served: 2

Date Rcvd: Feb 26, 2009

The following entities were served by first class mail on Feb 28, 2009.

aty +Gregg M. Galardi, Skadden Arps Slate Meagher, & Flom LLP, One Rodney Sq., PO Box 636,
Wilmington, DE 19899-0636
aty +Ian S. Fredericks, Skadden Arps Slate Meagher, & Flom LLP, One Rodney Sq., PO Box 636,
Wilmington, DE 19899-0636

The following entities were served by electronic transmission.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 28, 2009

Signature:

